

An. Code, sec. 2. 1904, sec. 2. 1894, ch. 380, sec. 2. 1890, ch. 380.
1910, ch. 413, sec. 2 (p. 206).

2. Each any every license issued in conformity to the provisions of section 1 of this article shall state the name, color, age and residence of the person to whom the license is to be granted; the number thereof and the county in which the same is to be used, and every applicant for such license shall pay to the clerk of the circuit court when such license may be granted, and before the issuing and delivery of the same, three and one-half dollars, the clerk to receive twenty-five cents for each and every such license as a fee for issuing the same, including administering the oath when required. Two-thirds of the amount received for such license shall be paid by the clerk to the school commissioners for the use of the public schools in the respective counties where such licenses are issued, and of this amount the portion received from white tongers to go to the white schools, and the portion received from the colored tongers to go to the colored schools, and the remaining one-third to be paid over by the clerk to the comptroller of the state treasury, to be credited to the oyster fund. And one-third of the amount received from any tonging license in any county in this State shall be paid by the clerk of the circuit court of the county when received to the comptroller of the treasury, to be credited to the oyster fund, any provision of any public local law or public general law to the contrary notwithstanding.

This section referred to in construing secs. 33 and 34. *Smith v. School Commissioners*, 81 Md. 517.

An. Code, sec. 3. 1904, sec. 3. 1894, ch. 380, sec. 3.

3. Every applicant for license as aforesaid shall be required to make oath or affirmation before the clerk authorized to issue the same, or some justice of the peace, on whose certificate of the taking of such oath or affirmation the clerk shall issue said license; that the facts set forth therein are strictly true; that he has been a *bona fide* resident of the county for twelve months next preceding his application for said license; that he desires and intends to use said license in the county in which he resides or the waters used in common, as provided in this article and that he will comply with and obey all laws of this State regulating the taking or catching of oysters.

An. Code, sec. 4. 1904, sec. 4. 1894, ch. 380, sec. 4.

4. The comptroller of the treasury shall cause to be printed and delivered to the clerks of the circuit courts for the several counties the requisite number of such blank licenses and take receipts for the same as for other licenses furnished; and said clerks shall, on the first Monday of March and December of each year, return to the comptroller a list and account of such licenses issued by them, and at the end of each tonging season shall return all unused licenses to him and shall pay over to the comptroller one-third of the amount received by them for such licenses, which amount the said comptroller shall place to the credit of the oyster fund; and no license to take or catch oysters with rakes or tongs shall be used on any boat or vessel which is licensed to take or catch oysters with